

FIFTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Friday, Nov. 17, 1871. }

Senate met pursuant to adjournment. President Flanagan presiding. Roll called. Quorum present.

Absent, excused—Senator Fountain.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

MESSAGE FROM THE HOUSE.

Message from the House by the Chief Clerk, Mr. Gallant, transmitting for concurrence the following House bills: House bill No. 880, "An act for the relief of the heirs of Alexander S. Green, deceased;" House bill No. 830, "An act to establish a ferry across the Brazos river, in the counties of Milam and Robertson, at or near the town of Port Sullivan, in Milam county;" House bill No. 817, "An act authorizing and requiring the Commissioner of the General Land Office to issue patent upon certificate No. 169 to the heirs or assignees of John Pate;" House bill No. 811, "An act authorizing the Commissioner of the General Land Office to issue land certificates in certain cases;" House bill No. 784, "An act for the relief of pre-emption settlers in the Mississippi and Pacific Railroad Reserve;" and informing the Senate that the House had passed, with amendments, Senate bill No. 79, "An act to amend an act entitled 'an act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico;'" substitute Senate bill No. 946, "An act supplemental to an act entitled 'an act in relation to the location, survey and return of genuine land certificates,' passed April 25, 1871;" House bill No. 646, "An act for the relief of B. H. Davis, assignee of T. J. Chambers, deceased;" House bill No. 637, "An act for the relief of the heirs of George W. Wall, deceased;" House bill No. 290, "An act for the relief of John Hayman, his heirs or assigns;" House bill No. 885, "An act amendatory of sections twenty-eight and thirty-one of 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871;" House bill No. 927, "An act for the relief of J. Lancaster;" House bill No. 177, "An act to amend an act entitled 'an act to provide for the mode and manner of conducting elections, making returns, and for the pro-

tection and purity of the ballot box,' approved August 15, 1870;" House bill No. 903, "An act to repeal sections five, twenty-two, twenty-six and twenty-seven of an act entitled 'an act to provide for the enrollment of the militia, the organization and discipline of the State Guards, and for the public defense,' approved June 24, 1870."

On motion of Senator Bell, the rules were suspended to take from file House bill No. 177, "An act to amend an act entitled 'an act to provide for the mode and manner of conducting elections, making returns, and for the protection and purity of the ballot box,' approved August 15, 1870." Read first time and passed to a second reading.

Senator Bell moved a further suspension of the rules to read the bill a second time.

Yeas and nays called for and motion to suspend the rules carried by the following vote.

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Gaines, Latimer, Mills, Parsons, Pettit, Pickett, Pyle, Rawson, Ruby, Shannon, Swift, Tensick—23.

Nays—Ford, Hertzberg, Hillebrand, Saylor—4.

Senator Bowers offered the following amendment: Strike out the word "August" and insert the word "April."

Senator Ruby moved a call of the Senate. Call sustained.

Absent—Senators Hall and Pridgen.

Absent, excused—Senator Fountain.

Senators Hall and Pridgen appeared and answered to their names.

Call suspended.

Question being on the adoption of the amendment offered by Senator Bowers, yeas and nays called for and motion to adopt lost by the following vote:

Yeas—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pyle, Shannon, Swift—14.

Nays—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tensick—14.

Senator Pettit offered the following amendment: Strike out "the third Tuesday in March."

Yeas and nays called for and the amendment adopted by the following vote:

Yeas—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pettit, Pickett, Pyle, Shannon, Swift—15.

Nays—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pridgen, Rawson, Ruby, Saylor, Tensick—13.

Question being shall House bill No. 177 pass to a third reading.

Yeas and nays called for and motion carried by the following vote :

Yeas—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Ford, Hall, Latimer, Pettit, Pickett, Pridgen, Pyle, Shannon, Swift—17.

Nays—Mr. President, Baker, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Rawson, Ruby, Saylor, Tendick—11.

House bill No. 177, passed to a third reading as amended.

Senator Pickett moved a further suspension of the rules to read House bill No. 177 a third time.

Yeas and nays called for and motion to suspend lost by the following vote :

Yeas—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pettit, Pickett, Pridgen, Pyle, Shannon, Swift—16.

Nays—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Rawson, Ruby, Saylor, Tendick—12.

Senator Bowers moved a suspension of the rules to take from file House bill No. 903, "An act to repeal sections five, twenty-two, twenty-six and twenty-seven, of an act entitled 'an act to provide for the enrollment of the militia, the organization and discipline of the State Guards, and for the public defense,' approved June 24, 1870."

Yeas and nays called for and motion to suspend the rules lost by the following vote :

Yeas—Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pettit, Pickett, Pridgen, Pyle, Shannon, Swift—15.

Nays—Mr. President, Baker, Bell, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Rawson, Ruby, Saylor, Tendick—13.

REPORTS OF STANDING COMMITTEES.

Report of Committee on State Affairs :

COMMITTEE ROOM,
Austin, Nov. 16, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR : Your Committee on State Affairs, to whom was referred Senate bill No. 558, "An act to incorporate the Jefferson Real Estate, Trust and Dollar Savings Company," have examined the same

and beg to report the bill back to your honorable body, with the recommendation that it do pass.

S. W. FORD, Chairman.

Report read and laid over under the rules.

Senator Douglas submitted the following minority report on Senate bill No. 554 :

COMMITTEE ROOM, }
Austin, Nov. 16, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR : The undersigned, a member of your Committee on Internal Improvements, dissenting from the action of the majority of said committee in recommending the passage of Senate bill No. 554, to be entitled "An act amendatory of, and supplementary to an act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean," passed on the — day of May 1871," would respectfully submit that there are features in this bill which require more than a casual examination.

The act to which this is supplementary, received the support of a large majority of this Legislature last spring, that act had many features to recommend it to the favorable consideration of members, and although the immense debt to be entailed upon the people by its passage at first view, seems disproportioned to the benefits to be derived, still, as its preamble set forth, it was considered that it would "secure the speedy construction of a railroad to the Pacific Ocean," through Texas; "greatly enhance the value of the public lands, develop the mineral resources of the State, and give protection to the frontier," and accomplish most of these objects before the people were taxed one dollar. It was after mature deliberation, in view of these and *other supposed benefits* to be derived from its passage, passed into a law. This act was drawn by the fully accredited agent of the corporations interested in its passage, and the country as well as those who had given their support to the bill, expected good faith on the part of those who had thus obtained a franchise at the hands of this Legislature, which has no parallel in the extent of donations in the entire history of railroad legislation. But in this the country and all concerned have been deceived. Six months have passed of the thirty in which it was then stipulated should be accomplished this splendid achievement of constructing two parallel lines of railroad from east to west across and beyond the populated portion of our State, and we have no evidence of progress in the accomplishment of this work unless the contract of the Trans-Continental, recently entered into, for the

construction of a bridge across a small stream near Jefferson furnishes that evidence. Instead of going to work under the existing contract, we find those gigantic speculators, Marshall O. Roberts, John C. Fremont and others, raising some trivial objection to the act, and again besieging this Legislature for additional, and to them, far more favorable legislation.

The defined line of the Southern Pacific, the feature ostensibly objected to in the act of last May, was distinctly agreed to and authorized to be inserted by Marshall O. Roberts, the recognized head of both corporations concerned, hence we must conclude that there are better reasons than those assigned for this long delay in what many of us have been credulous enough to suppose was a great movement towards the construction of "a railroad through Texas to the Pacific Ocean." A careful examination of the bill, reported by the majority of your committee, will disclose the real designs of the manipulators of this job, and it will be found the only proposed benefits to the State, contained in this bill, are in its false caption and euphonic but empty preambles. Let us see how it is proposed to secure the "speedy construction of a railway through the State of Texas to the Pacific Ocean." Section one permits the companies to fix the point of junction as far east as the twentieth degree of longitude, which is about on the parallel of the town of Waxahachie. From Longview, the present terminus of the Southern Pacific Railroad, is less than one hundred and twenty-five miles. Section four requires the completion of the roads to that parallel by the first of July, or in the period of two and a half years; thus, this road is only required to build fifty miles per annum. at which rate, if it should continue to construct, it would reach El Paso in about fifteen years, and the Pacific Ocean some time during the early part of the next century.

Under this bill there is no limitation of the time in which the companies shall build that portion of the road west of the point of junction, and they may build that portion fifty years hence and obtain the subsidy, but the committee propose to amend, so as to require its construction at the rate of one hundred miles per annum. If this amendment is adopted, and the bill be construed to prevent the abandonment of one of the lines, and the application of the six millions to a single line, which construction, I know, the framers of the bill would adopt at this time, we have only the remnant of the three millions donated to either road to be applied to the extension of the single track beyond the point of junction. If the Trans-Continental be adopted for the western extension the subsidy would be exhausted before the road had reached our present frontier counties, a distance of nearly

six hundred miles east of El Paso; and if under another and more correct construction of the bill the entire six millions should be applied to the Southern Pacific line, the most direct and most practicable route, it would still fail to reach El Paso when the subsidy was exhausted. So that in no way does this bill "provide for the construction of a railroad across Texas to the Pacific Ocean." Nor, in the opinion of the minority of your committee, do the corporators concerned contemplate such work, the proposition to change the gauge of their proposed roads to less than four feet eight and a half inches is conclusive evidence that it is not intended to build a grand trunk or any portion of one from the Atlantic to the Pacific, but rather to obtain such a franchise as would confer vast riches upon the companies upon the construction of a cheap road or roads through the inhabited and civilized portions of Texas, and in order that these fortunes may be amassed without any outlay of capital, the act of May has been rejected and this bill presented requiring the bonds to issue on the completion of each section of ten miles.

Attention is directed to the magnitude of the donations proposed in aiding in the construction of these roads. To the subsidy of six millions of dollars proposed in this bill to secure the construction of six hundred miles of road must be added six million one hundred and forty-four thousand acres of land secured under former acts. This land, much of which has been surveyed and reserved, may be reasonably estimated at one dollar per acre. We thus have ten thousand two hundred and forty dollars per mile in lands to add to the ten thousand dollars per mile provided for in this bill, making a donation in all of twenty thousand two hundred and forty dollars per mile. Now let us look into another feature of this bill, in connection with these figures. Section five authorizes the companies to regulate the gauge of their roads, conforming them to the gauge to be adopted by the directors of the Texas Pacific. The chief engineer of that road has published his official report, in which he recommends a three and a half feet gauge, and it is most probable that this gauge will be adopted. So this splendid work, for which the State is to pay over twenty thousand dollars per mile, is to shrink into a "narrow gauge," which is to cost the companies less than fifteen thousand dollars per mile. The State, under this bill, will build these roads and present them to these companies, and in consideration of their great skill as financiers, displayed in France and elsewhere, it is proposed, in addition to the handsome little present of six hundred miles of narrow gauge road, to give them a bonus of over five thousand dollars per mile, or three millions of dollars over and above the necessary means to build these roads.

If the Constitution should be changed, the Legislature will, under the provisions of section three of this bill, be empowered to substitute twenty-four sections of land, instead of the bonds, or the companies may at any time demand such substitution. Should the Legislature adopt this policy, these companies, under this and former acts, will be secured in forty sections of land to the mile, or a belt of country six hundred miles in length and forty miles in width.

By reference to section nine of the act of which this bill is amendatory, it will be seen that the old land grant of sixteen sections is very carefully guarded.

The following are its terms: "Section nine, nothing in this act contained, shall be construed to impair, diminish, or in any manner to affect injuriously any right enjoyed by either of said railroad companies, under existing laws."

Such stupendous donations for the construction of narrow gauge roads through a country densely populated, where the earnings of such roads would justify their rapid construction without subsidy, will meet with a prompt rebuke and the perpetual disapprobation of an outraged people; but these cormorants whose avarice knows no bounds and who respect no individual rights, have already began the work of levying "black mail," upon the counties and towns along their proposed lines. The little county of Marion has already been forced to donate three hundred thousand dollars. Red River and other counties along that line are being forced to similar contributions. Dallas and other counties along the line of the "Pacific" have already pledged immense county aid. The conclusion is inevitable that the originators of this scheme design to exact from the State and her people far more than the necessary means to construct these roads, and to erect themselves into a railroad and land monopoly, which is to become a curse to our people in future. If there were no other reasons for the defeat of this bill, the past history of these companies would furnish sufficient argument.

"The Southern Pacific," *alias* "Vicksburg and El Paso," *alias* "Atlantic and Pacific," has been chartered with a land bonus for more than twenty years, and has constructed only about fifty miles of road during that time. This disreputable old concern has been sold out several times, and has changed its name almost as often as it has victimized its friends. The same and even more may be said of the "Trans-Continental" *alias* "Memphis, El Paso and Pacific." Its reputation for gigantic swindling is co-extensive with two continents, and considering its resources stands unrivalled as a public robber. These rotten old concerns are now endeavoring to don the lion's skin under the new name of the "Texas Pacific," but their many

old acquaintances will recognize them notwithstanding their new disguise. The premises considered, the undersigned most respectfully submits that the passage of this bill is fraught with the most ruinous consequences to the people of the State, entailing upon them a gigantic debt, squandering the remnant of the public domain, and erecting a corrupt and dangerous monopoly for no adequate consideration.

Respectfully,

J. P. DOUGLAS,

Minority of Committee on Internal Improvements.

Report read.

Senator Pickett moved to lay upon the table the motion of Senator Ford to reconsider the vote of yesterday by which the Senate passed House bill No. 730, "An act in relation to the assessment and collection of taxes for school purposes in the several school districts of the State, and regulating the expenditures of money arising from the same."

Senator Ruby moved a call of the Senate. Call sustained.

Absent—None.

Absent, excused—Senator Fountain.

Call suspended.

Question being on the motion by Senator Pickett to lay upon the table the motion to reconsider the vote on House bill No. 730, yeas and nays called for, and motion to table lost by the following vote:

Yeas—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pyle, Shannon, Swift—14.

Nays—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—14.

Senator Ruby submitted the following report of Committee on Engrossed Bills:

COMMITTEE ROOM, }
Austin, Nov. 17, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate:

SIR: Your Committee on Engrossed Bills have examined and find correctly engrossed, Senate bill No. 564, "An act to incorporate the Mutual Live Stock Insurance Company, of Western Texas."

G. T. RUBY, Chairman.

Report read and received.

Under direction of the President, the Secretary carried to the House for concurrence the following Senate bills: Senate bill No. 516, "An act to incorporate Charnwood Institute;" Senate bill No. 520, "An act for the relief of the heirs of Joseph

Kerr and Nathaniel M. Kerr;" Senate bill No. 523, "An act to incorporate the Houston Turn Verein;" Senate bill No. 524, "An act to incorporate the Point Isabel City Company;" Senate bill No. 545, "An act creating the Colorado Real Estate and Banking Company;" and informing the House that the Senate agrees to House amendments to the following Senate bills: Senate bill No. 439, "An act to exempt certain persons from serving on juries;" Senate bill No. 487, "An act authorizing S. A. Cook to erect and keep a toll bridge across Mineral bayou, in Grayson county;" Senate bill No. 472, "An act to incorporate the Texas European Steamship and Land Company;" and refused to concur in House amendment to Senate bill No. 405, "An act supplementary to the act entitled 'an act to adopt and establish a penal code for the State of Texas,' approved August 28, 1856."

Consideration of House bill No. 730 resumed:

Senator Saylor moved to postpone the further consideration of the bill, and that the motion to reconsider be made the special order for to-morrow at 11 A. M.

Yeas and nays called for and motion lost by the following vote:

Yeas—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—14.

Nays—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pyle, Shannon, Swift—14.

Question being on the reconsideration of the vote on House bill No. 730, yeas and nays called for, and motion to reconsider lost by the following vote:

Yeas—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—14.

Nays—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pyle, Shannon, Swift—14.

Senator Saylor moved that the Senate stand adjourned to 3 o'clock P. M.

Yeas and nays called for and the motion to adjourn carried by the following vote:

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Dillard, Evans, Gaines, Hall, Latimer, Mills, Parsons, Pettit, Pickett, Pyle, Rawson, Ruby, Saylor, Swift, Tendick—20.

Nays—Bell, Dohoney, Douglas, Ford, Hertzberg, Hillebrand, Pridgen, Shannon—8.

So the Senate, at 11:25 o'clock A. M., adjourned to 3 o'clock P. M.

AFTERNOON SESSION.

3 o'CLOCK P. M.

Senate met pursuant to adjournment. President Flanagan presiding. Roll called. No quorum present.

Absent—Senators Bowers, Ford, Hillebrand, Mills, Pettit, Pickett, Pridgen, Rawson and Ruby.

Absent, excused—Senator Fountain.

Senator Douglas moved a call of the Senate. Call sustained.

Absent—Senators Bowers, Ford, Hillebrand, Mills, Pickett, Pettit, Pridgen and Ruby.

Absent, excused—Senator Fountain.

On motion of Senator Saylor, the call was suspended.

Senator Douglas moved that the Senate stand adjourned to 10:30 A. M. to-morrow.

Yeas and nays called called for and motion lost by the following vote:

Yeas—Broughton, Dillard, Douglas, Evans, Swift—5.

Nays—Mr. President, Baker, Bell, Cole, Dohoney, Ford, Gaines, Hall, Hertzberg, Latimer, Parsons, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick—18.

On motion of Senator Mills the rules were suspended to take from file House bill No. 885, "An act amendatory of sections twenty-eight and thirty-one of 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871." Read first time, and on motion of Senator Mills laid upon the table.

On motion of Senator Parsons the rules were suspended to take from file House bill No. 595, "An act to incorporate the Houston Tannery and Leather Manufacturing Company." Read second time and passed to a third reading.

On motion of Senator Parsons the rules were further suspended and House bill No. 595 read third time and passed.

On motion of Senator Pettit the rules were suspended to take from file Senate bill No. 529, "An act supplementary to and amendatory of an act entitled 'an act to organize and maintain a system of public free schools in the State of Texas,' approved April 24, 1871." Read second time.

Senator Bell offered Senate bill No. 557 as a substitute for Senate bill No. 529, and moved its adoption, Senate bill No. 557, "An act to amend the second and third sections of an act entitled 'an act to organize a system of public free schools in the State of Texas,' approved April 24, 1871."

Senator Mills moved that Senate bill No. 529 and substitute be made special order for Monday at 11:30 A. M., and from day to day till disposed of, and that one hundred copies of bill and substitute be ordered printed.

Yeas and nays called for, and motion lost by the following vote :

Yeas—Cole, Dillard, Dohoney, Gaines, Hertzberg, Hillebrand, Latimer, Mills, Pickett, Ruby, Saylor, Swift, Tendick—13.

Nays—Mr. President, Baker, Bell, Broughton, Douglas, Evans, Ford, Hall, Parsons, Pettit, Pridgen, Pyle, Rawson, Shannon—14.

Senator Dohoney moved to recommit the bill and substitute to Committee on Education.

Yeas and nays called for, and motion to recommit lost by the following vote :

Yeas—Dohoney, Gaines, Hillebrand, Latimer, Parsons, Pickett, Rawson, Swift—8.

Nays—Mr. President, Baker, Bell, Broughton, Cole, Dillard, Douglas, Evans, Ford, Hall, Hertzberg, Mills, Pettit, Pridgen, Pyle, Ruby, Saylor, Shannon, Tendick—19.

The question being on the adoption of the substitute, the yeas and nays were called for and motion to adopt lost by the following vote :

Yeas—Bell, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pyle, Shannon, Swift—12.

Nays—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—14.

Senator Dohoney offered the following amendment, and moved its adoption : Amend clause third by striking out “ \$1890 ” and inserting “ \$1200.”

Yeas and nays called for, and amendment lost by the following vote :

Yeas—Bell, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pyle, Shannon, Swift—13.

Nays—Mr. President, Baker, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—14.

Senator Pettit offered the following amendment, which was adopted : Insert after the word “ year,” in third line, the words “ December 2, ending on the thirty-first of August,” and in line six, section two, insert after the word “ year ” the words “ ending thirty-first August.”

Senator Ford offered the following amendment, which was adopted : Amend by striking out the words “ on or before the — day of —, 1871,” and insert “ upon the passage of this act.”

Senate bill No. 529 ordered engrossed and passed to a third reading as amended.

Senator Pettit moved a further suspension of the rules to read Senate bill No. 529 third time. Lost.

On motion of Senator Pickett, the rules were suspended to take from file House bill No. 819, "An act to amend 'an act prescribing the times of holding the courts in the several judicial districts in the State,' approved August 18, 1870." Read second time and passed to a third reading.

On motion of Senator Dohoney, the rules were further suspended, and House bill No. 819 read third time and passed.

On motion of Senator Pridgen, the rules were suspended to take from file Senate bill No. 548, "An act to authorize the county of Calhoun to improve the channel from the Gulf into Matagorda Bay, and to create a bonded debt for that purpose." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Pridgen, the rules were further suspended and House bill No. 548 read third time and passed.

On motion of Senator Pyie, the rules were suspended to take from file Senate bill No. 490, "An act to incorporate the Mechanics' Building Association, of Jefferson, Texas." Read second time, ordered engrossed, and passed to a third reading.

On motion of Senator Mills, the rules were further suspended, and Senate bill No. 490 read third time and passed.

On motion of Senator Rawson, the rules were suspended to take from file Senate bill No. 450, "An act to incorporate the Marshall Salamander Fire Company No. 1, of the city of Marshall, Texas." Read second time, ordered engrossed, and passed to a third reading.

On motion of Senator Rawson, the rules were further suspended, Senate bill No. 450 read third time and passed.

On motion of Senator Ruby, the rules were suspended to take from file Senate bill No. 481, "An act to incorporate the Library Building Association, of Galveston." Read second time, ordered engrossed, and passed to a third reading.

On motion of Senator Ruby, the rules were further suspended, and Senate bill No. 481 read third time and passed.

On motion of Senator Saylor, the rules were suspended to take from file Senate bill No. 560, "An act to incorporate the Santa Gertrude Mining and Manufacturing Company." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Ruby, the rules were further suspended, and Senate bill No. 560 was read third time and passed.

On motion of Senator Shannon, the rules were suspended to take from file Senate bill No. 565, "An act further prescribing the time

of holding the District Court in the Eighth Judicial District." Read second time, ordered engrossed, and passed to a third reading.

On motion of Senator Mills, the rules were further suspended, and Senate bill No. 565 read third time and passed.

On motion of Senator Swift, the rules were suspended to take from file House bill No. 637, "An act for the relief of the heirs of George W. Wall, deceased." Read first time, and passed to a second reading.

On motion of Senator Swift, the rules were further suspended and House bill No. 637 read second time and passed to a third reading.

On motion of Senator Dohoney, the rules were further suspended and House bill No. 637 was read third time.

The question being on the final passage, the yeas and nays were called for and passed by the following vote :

Yeas—Baker, Cole, Dillard, Dohoney, Douglas, Evans, Ford, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pridgen, Ruby, Saylor, Shannon, Swift, Tendick—19.

Nays—Mr. President, Bell, Broughton, Gaines, Hall, Pyle, Rawson—7.

On motion of Senator Tendick the rules were suspended to take from file House bill No. 653, "An act to punish certain offenses committed on Sunday." Read first time.

Senator Rawson moved the indefinite postponement of the bill.

Senator Pettit moved to refer House bill No. 653 to the Judiciary Committee.

Senator Mills moved that the Senate stand adjourned to 10 A. M. to-morrow.

Yeas and nays called for, and motion lost by the following vote :

Yeas—Broughton, Dillard, Dohoney, Gaines, Hall, Latimer, Mills, Pyle—8.

Nays—Mr. President, Baker, Bell, Cole, Douglas, Evans, Ford, Hertzberg, Hillebrand, Parsons, Pettit, Pickett, Pridgen, Rawson, Ruby, Saylor, Shannon, Swift, Tendick—19.

Question recurring on the indefinite postponement of House bill No. 653, yeas and nays called for, and the motion to indefinitely postpone lost by the following vote :

Yeas—Bell, Broughton, Cole, Douglas, Hertzberg, Mills, Pridgen, Pyle, Rawson—9.

Nays—Mr. President, Baker, Dillard, Dohoney, Evans, Ford, Gaines, Hall, Hillebrand, Latimer, Parsons, Pettit, Pickett, Ruby, Saylor, Shannon, Swift, Tendick—18.

On motion of Senator Broughton, the Senate at 5 P. M. adjourned to 10 A. M. to-morrow.